

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Ezequias DURAN-Melendrez,  
Defendant.

Magistrate Case No.: '08 MJ 85 32  
COMPLAINT FOR VIOLATION OF  
21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

COUNT I

On or about June 12, 2008, within the Southern District of California, defendant Ezequias DURAN-Melendrez did knowingly and intentionally import approximately 1.94 kilograms (4.26 pounds) of methamphetamine a Schedule II Controlled Substance into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

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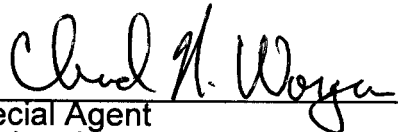
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COUNT II

On or about June 12, 2008, within the Southern District of California, defendant Ezequias DURAN-Melendrez did knowingly and intentionally import approximately .20 kilograms (.44 pounds) of cocaine a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent  
Immigration and Immigration and  
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13<sup>TH</sup> DAY OF MARCH 2008.

  
ANTHONY J. BATTAGLIA  
U. S. MAGISTRATE JUDGE

1  
2 UNITED STATES OF AMERICA

3 v.

4 Ezequias DURAN-Melendrez

5 STATEMENT OF FACTS

6  
7 This Statement of Facts is based on the reports, documents,  
8 and notes furnished to United States Immigration and Customs  
9 Enforcement Special Agent Rafael Silva.

10 On June 12, 2008, at approximately 1025 hours, Ezequias  
11 DURAN-Melendrez entered the United States from the Republic of  
12 Mexico, by foot, at the Calexico, California West Port of Entry  
13 Pedestrian Crossing.

14 Customs and Border Protection Officer (CBPO) Carrillo was  
15 assigned pedestrian primary inspectional duties when DURAN  
16 approached his lane for inspection. CBPO Carrillo observed  
17 DURAN'S hand shaking as he presented his border crossing card.  
18 CBPO Carrillo escorted DURAN to the pedestrian secondary office  
19 for further inspection.

20 CBPO Lizaola was assigned pedestrian secondary inspectional  
21 duties. CBPO Lizaola conducted a pat down of DURAN. CBPO Lizaola  
22 discovered numerous packages around DURAN'S waistline and ankles.  
23 CBPO Lizaola probed one of the packages and it produced a  
24 crystal-like substance that tested positive for methamphetamine.

25 A separate package produced a white powdery substance that  
26 tested positive for cocaine. A total of 6 packages were  
27 discovered, with a total weight of 1.94 kilograms (4.26 pounds)  
28 of methamphetamine and .20 kilograms (.44 pounds) of cocaine.  
29

1       DURAN was arrested for violation of Title 21 United States  
2 Code 952 and 960, Importation of a Controlled Substance. DURAN  
3 was advised of his rights, per Miranda, and agreed to answer  
4 questions. DURAN admitted he knew he was smuggling  
5 methamphetamine (crystal) into the United States. DURAN stated  
6 he knew it was illegal to smuggle methamphetamine into the United  
7 States. DURAN stated he was to be paid \$1,600.00 dollars to  
8 deliver the methamphetamine to the Los Angeles, California area.  
9 DURAN was processed and booked into the Imperial County Jail.